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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HARRISON COMPANY LLC,

Plaintiff,

v.

**A-Z WHOLESALERS INC. and
BARKAT G. ALI,**

Defendants.

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CIVIL ACTION NO. 3:19-CV-1057-B

DEFENDANTS' MOTION IN LIMINE

NOW COME Defendants, A-Z Wholesalers Inc (“A-Z”) and Barkat G. Ali (“Barkat”) (collectively “Defendants”), by and through counsel, file this their *Motion In Limine* (the “Motion”) in accordance with the Court’s electronic *Order* (the “Order”) entered September 17, 2020, and in support of same would show the Court as follows:

I. INTRODUCTORY STATEMENT

1. Before the voir dire examination of the jury panel, and outside the presence and hearing of the jury panel, Defendants make this Motion in Limine. Defendants seek to exclude matters that are inadmissible, irrelevant, or prejudicial in this case. If Plaintiff injects these matters into the trial of this case through a party, an attorney, or a witness, it will cause irreparable harm

to Defendants' case, which no jury instruction could cure. If any of these matters are brought to the attention of the jury, directly or indirectly, Defendants will be compelled to move for a mistrial.

2. Defendants urge this motion in limine and request the Court to instruct Plaintiff and all counsel not to mention, refer to, interrogate about, or attempt to convey to the jury in any manner, either directly or indirectly, any of the matters listed below without first obtaining a ruling from the Court outside the presence and hearing of the jury, and to instruct Plaintiff and all counsel to warn and caution each witness to follow the same instructions.

II. TOPICS TO BY EXCLUDED

3. Any testimony or argument that contradicts Plaintiff's deemed admissions. Particularly, but not limited to Plaintiff's admission that Harrison and Imperial are two separate entities, and that no Harrison contracts were assigned to Imperial.

4. Any mention of the probable testimony of a witness who is absent, unavailable, or not called or allowed to testify in this case.

5. Any comments by Plaintiff's attorney that informs the jury of the effect of its answers to questions in the charge.

6. Any mention that the parties engaged in settlement negotiations.

7. Any mention that the Defendants are/were involved in other suits not involving Harrison or Imperial as a party.

8. Any comment that the jurors should put themselves in the position of the Plaintiff.

9. Any comment or reference to Defendants' corporation as "foreign" or "alien" to Louisiana.

10. Any comment that Defendants do not have personal knowledge of Harrison's or Imperial's internal operations.

WHEREFORE, PREMISES CONSIDERED, for all these reasons, Defendants ask the Court to instruct Plaintiff and its counsel and witnesses not to mention, refer to, interrogate about, or attempt to convey to the jury in any manner, either directly or indirectly, any of the matters listed above without first obtaining a ruling from the Court outside the presence and hearing of the jury.

DATED: January 18, 2021

Respectfully submitted,

/s/ Joyce W. Lindauer

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 18, 2021, a true and correct copy of the foregoing was served on all parties receiving electronic in this case via the Court's ECF system.

/s/ Joyce W. Lindauer

Joyce W. Lindauer